

FIRST REGULAR SESSION

SENATE BILL NO. 439

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time February 23, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2079S.011

AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 442, RSMo, is amended by adding thereto one new
2 section, to be known as section 442.402, to read as follows:

442.402. 1. No board of education, or special administrative
2 board of a school district operating under section 162.081 or 162.1100,
3 RSMo, shall include a restrictive covenant recital in a deed, plat,
4 restriction, covenant, or conveyance that prohibits the use of real
5 property for a primary, elementary, or secondary school providing
6 instruction for grades kindergarten through twelve.

7 2. Any restrictive covenant recitals on real property previously
8 operated as a public school found in any deeds, plats, restrictions,
9 covenants, or other conveyances of any type or nature, filed for record
10 in the office of the recorder of deeds in any county or city not within
11 a county, which prohibit the owner or purchaser of such property from
12 using the property to provide educational instruction, shall be void and
13 unenforceable, and shall be ignored, as if the same existed.

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